

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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MARY F. McTIGUE
DIRECTOR

February 26, 1993
AO-93-02

Mr. Joseph C. Sullivan
51 West Street
Braintree, MA 02184

Dear Mr. Sullivan:

This letter is in response to your October 27, 1992 letter requesting an advisory opinion as to whether you need to list certain expenditures on your campaign finance report. I apologize for the delay in my response.

In your letter you stated that you purchased bumper stickers for your campaign prior to the formation of the Friends of Joe Sullivan Committee ("Committee"), a political committee formed on your behalf, on May 15, 1992. You have not and do not plan on seeking reimbursement from the Committee for this onetime expenditure of two hundred and thirty six (\$236.00) dollars.

You have asked whether you need to list the expenditure for the bumper stickers on your campaign finance report.

The Massachusetts campaign finance law, M.G.L. c.55, provides specific and detailed reporting and disclosure requirements for those involved in political campaign finance activity. Specifically, M.G.L. c.55, s.18, in pertinent part, provides:

Each candidate and each treasurer of a political committee shall file with the director. . . reports of contributions received and expenditures made on forms prescribed by the director.

Accordingly, each candidate and treasurer of a political committee must file a report for all campaign finance activity. The appropriate campaign finance report is Form CPF 102 ND.

If all campaign finance activity is handled by a candidate's political committee, the candidate and the committee file a single joint report. Such a joint report would include all campaign related financial activity made by the candidate such as transportation costs for which the candidate is reimbursed as well as the financial activity of the committee.

A candidate is not required to file a separate campaign finance report unless the candidate received contributions, made expenditures or incurred liabilities separately during any reporting period.

In your case, therefore, since you made expenditures separately from the Committee, you are obligated to file a report with the Office reflecting that campaign finance activity.¹

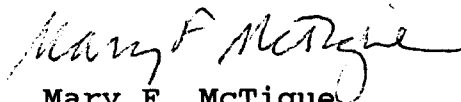
Since you did not have a political committee prior to May 15, 1992, section 18 sets the reporting period for reporting any expenditures by you. This period begins on the day following (November 7, 1990) the preceding election for the office sought by the candidate and ends as of the tenth day preceding (August 28, 1992) the last day for filing (September 8, 1992). Thus, you need to file your individual candidate report for any activity, independent of the Committee, from November 7, 1990 through August 28, 1992. This would include your bumper sticker expenditure. If this is the only financial activity you had separately from the Committee, this is the only report you need to file as a candidate.

For your convenience, I have enclosed Form CPF 102 ND, the campaign finance report, for you to complete and return to the Office of Campaign and Political Finance as soon as possible in order to comply with Chapter 55. If you have any questions regarding the completion of this form please do not hesitate to contact your auditor, Ms. June Thompson.

This opinion has been rendered solely on the basis of the representations made in your letter and solely in the context of M.G.L. c.55.

Please do not hesitate to contact this office should you have additional questions about this or any other campaign finance matter.

Very truly yours,


Mary F. McTigue
Director

cc: June Thompson

1. The Office's Audit Department has reviewed the campaign finance reports filed by the Committee and confirmed that the Committee filed timely reports for the 8th day preceding the 1992 primary and election as required by section 18.